S.B. CIVIL WRIT PETITION NO.440/1996
(Director Central State Farm Suratgarh Vs.The Judge Industrial Tribunal & Ors.)

Date of Order :: 29.10.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr.Anil Bhandari, for the petitioner.
Mr.Vijay Mehta, for the respondents.

Heard learned counsel for the parties.

In this case, the petitioner - Central State Farm, Suratgarh is challenging the validity of the award dated 04th March, 1993 to the extent of observation made by the learned Judge, Industrial Disputes Tribunal, Bikaner.

It is contended by learned counsel for the petitioner that the reference was made by the appropriate government to the learned Judge, Labour Court for adjudication whether Mate (Agriculture) working in the Central State Farms are entitled to be promoted on the post of Agricultural Field-man or not . Though the said reference has been answered against the non-petitioner, but it is observed in the award by the learned Judge, Labour Court that :

> "कि कृषि मैटो की कृषि फील्डमैन के पद पर पदौन्नति की मागं करना उचित एवं वैध नहीं है, परन्तु नियोजक से यह अपेक्षा है कि वे राज्य सरकार

के आदेशानुसार ही कृषि मेटों को उनकी 9, 18 एवं 27 वर्ष की सेवा पूरी करने पर उपरोक्त तरीके से विशेष वेतन वृद्वियां देगा"

Upon perusal of the aforesaid answer of the reference made by the appropriate government, it is obvious that claim of the non-petitioner for promotion to the post of Agricultural Field-man was rejected by the learned Judge, Labour Court and only observation was made that it is expected from the department to allow the special increments to the Agricultural Mates after completion of their service period of 9, 18 and 27 years.

In my opinion, no direction has been issued by the Judge, Labour Court for granting the special increments to the non-petitioner, therefore, the claim for promotion is segmented by the Judge, Labour Court and only observation was made for which discretion is left with the employer either to grant the special increments or not as per provisions of Law.

In this view of the matter, no interference with the award passed by the Judge, Labour dated 04th March, 1993 is required.

Accordingly, the writ petition is dismissed.

(GOPAL KRISHAN VYAS),J.

A.K. Chouhan/-